

Date: September 13, 2012

To: Thomas J. Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: Agenda Item – Mini Assessment Rolls for Sewer Main and Sewer Outfall on Alman Drive and Pickran Circle

Executive Summary

The City Council, at its meeting on May 7, 2012, held a public hearing regarding the assessment of a sewer main and sewer outfall to serve Alman Drive and Pickran Circle Avenue. Both assessment rolls were confirmed with the exception of the proposed assessments against two properties, due to objections to the assessments by those owners. Council action is required to confirm or relieve the said assessments.

Recommendation

The Public Works Department recommends that City Council confirm the sewer main and sewer outfall assessments against the properties of Cornell Jones Revocable Trust and Curley A. and Deana Schwatka in the original amounts in accordance with policy as shown on the attached mini rolls.

Background

Cornell Jones objected to the proposed assessments against his property (in the name of Cornell Jones Revocable Trust), described as 3616 Alman Drive, PIN 0801-03-30-1555. Mr. Jones purchased the property after the improvements were ordered. He stated that he was not aware of the pending assessments. Mr. Jones has been advised that this is a private matter between buyer and seller that should be handled through the closing attorney. Furthermore, all notices regarding these improvements (including notice of the public hearing to consider ordering the improvements) have been mailed to Mr. Jones, as he owns another property within the project limits, and none of the mailings have been returned as undeliverable. This property does not meet any of the criteria for relief established by the Assessment Relief Policy for sewer main or sewer outfall assessments; therefore, the assessments should be confirmed in the original amounts.

Curley A. and Deana Schwatka objected to the proposed assessments against their property, described as 3617 Alman Drive, PIN 0801-03-30-3341, due to concerns regarding grading and drainage issues resulting from the improvements. Those concerns have been addressed by the contractor. This property does not meet any of the criteria for relief established by the Assessment Relief Policy for sewer main or sewer outfall assessments; therefore, the assessments should be confirmed in the original amounts.

Issues and Analysis:

Section 77 of the Charter of the City of Durham dictates that City Council hold a public hearing before final confirmation of the mini assessment rolls.

Alternatives:

There is not an alternative per the City Charter.

Financial Impacts:

Once the public hearing is held, the City can proceed with collecting payment for any assessments confirmed by City Council.

SBDE Summary:

The SDBE Summary is not applicable to this item.

MGW/lca